

REMARKS

Claims 1-19, 21 were previously canceled; claims 20, 22 – 24, 26 - 29 have been amended. No claims have been added by way of this response. Thus, claims 20, 22 – 29 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

Support for the amendments can be found in Figs. 1 – 2 and the specification page 4, lines 25 – 32, page 5, lines 3 – 10, page 7, lines 10 – 14, and page 8, lines 23 – 24 as originally filed.

Applicant submits that this Amendment After Final Rejection places this application in condition for allowance by amending claims in manners that are believed to render all pending claims allowable. Applicant respectfully submits that this Amendment should not require any additional searching because the claim amendments presented herein do not add any new features and/or do not significantly alter the scope of the claims, but rather are directed to resolving the rejections under Section 112 only. Accordingly, entry of the present Amendment, as an earnest attempt to advance prosecution and/or to reduce the number of potential issues for consideration on appeal , is requested under 37 C.F.R. §1.116.

Response to Rejections Under Section 112:

Claims 20, 22 – 29 were rejected under 35 USC 112 as failing to comply with the enablement requirement for “lack of detail of wirelessly transmitting additional power”. Those claims are amended for clarity which should overcome this rejection. The enablement requirement refers to the requirement of 35 U.S.C. 112, first paragraph that the specification describe how to make and how to use the invention. Applicant submits that FIGS 1 – 2 and the supporting disclosure describe how to make and how to use the invention in the claims, as amended, and requests that the rejections be withdrawn.

The term “wireless power transmission” means that the wire **connection/contacts** normally used are left out [page 5, lines 3 – 10]. The power transmission still occurs without these contacts. There are many types of wireless power transmission, including radiative (e.g., electromagnetic radiation), conductive (e.g., a conductive medium), capacitive (e.g., non-conductive), and inductive (e.g., induction coils). In the instant case, the claims have been amended to clarify that “wirelessly transmitting additional power” uses a **wireless proximity connection** (See for example FIG. 2, transformers 25, 26) at the end that connects to the field device to provide wireless power **inductively** [page 7, lines 10 – 14] or **capacitively** [page 8, lines 23 – 24] as indicated in the respective claims. One of ordinary skill would NOT need to engage in undue experimentation to practice the claimed invention. Moreover, a patent need not teach what is well known in the art, namely inductive and/or capacitive “wireless power transmission.” (MPEP 2164.01). Accordingly, Applicant requests that the rejection be withdrawn.

Claims 20, 22 – 29 were rejected under 35 USC 112 as being indefinite due to certain identified antecedent basis issues which have been corrected in the amended claims. Applicant has also clarified “normal operation power” in the amendments as follows: “receive from the operating power supply ~~normal~~ an operation power for the field device sufficient for supporting all normal operations of the field device when employed in a technical facility”. The operation power defined in the claims specifically refers to “operation power for the field device sufficient for supporting all normal operations of the field device” which is separate and apart from “additional power” for the data transmission. Accordingly, Applicant requests that the rejections be withdrawn and the claims allowed.

Serial No. 10/573,168
Attorney Docket No. 2003P13650WOUS

Conclusion

Accordingly, Applicant submits that all claims are in condition for allowance and request that a Notice of Allowance be issued. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: May 15, 2009

By: Janet D. Hood
Janet D. Hood
Registration No. 61,142
(407) 736-4234

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830